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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,214	07/31/2003	Gerard Chauvel	TI-35427 (1962-05406)	1113

23494 7590 02/01/2007
TEXAS INSTRUMENTS INCORPORATED
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EXAMINER

PETRANEK, JACOB ANDREW

ART UNIT	PAPER NUMBER
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2183

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/632,214

Applicant(s)

CHAUVEL ET AL.

Examiner

Jacob Petranek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-20 are pending.
2. The office acknowledges the following papers:
Claims arguments filed on 12/4/2006.

Maintained Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Terada et al. (U.S. 6,041,399), in view of Blaner et al. (U.S. 5,659,722).

5. As per claim 9:

Terada disclosed a method of executing an instruction having a reference to a register, an immediate value, and a control bit that dictates one of at least two tests, the method comprising:

Examining said control bits to determine its state (Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(The opcode of the instruction specifies how the instruction will execute, which equates to the control bits.);

If said control bits are in a first state, comparing the immediate value to the contents of the register referenced in the instruction and skipping a subsequent instruction based on the outcome of the comparison (Terada: Figure 4, column 5 lines

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66-67 continued to column 6 lines 1-24)(The compare instruction in figure 4 is done by comparing the data stored in the specified register to the immediate value. The register is a normal register within the register file and is not the status register. Thus having the same functionality.); or

Terada failed to teach if said control bit is in a second state, masking the contents of the register with the immediate value, testing one or more bits in the masked version of the contents of the register, and skipping a subsequent instruction based on the outcome of the testing.

However, Bladen disclosed if said control bits are in a second state, masking the contents of the register with the immediate value, testing one or more bits in the masked version of the contents of the register, and skipping a subsequent instruction based on the outcome of the testing (Blaner: Figures 3 and 7, column 4 lines 53-67 continued to column 5 lines 1-42 and column 6 lines 26-39 and column 8 lines 4-31)(The test and branch instruction's opcode states that the comparison is done between the status register and the immediate predicate value within the instruction, which is element 508 in figure 3. Figure 7 shows the process of executing this instruction. Element 330 is the status register that stores the current status bits that are checked by the branch instruction. Column 8 discusses the process of masking the immediate mask in the instruction with the status register values to determine test value. This test value is the basis of if the branch is taken or not.).

Processing elements produce condition signals during execution that indicate conditions relevant to the execution of an instruction. These signals can later be used

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by conditional branches to determine if certain conditions were met for a branch instruction (Bladen: Column 1 lines 20-29). This type of branch instruction that performs a mask of the status bits with an immediate value to determine if the branch is taken would also be useful in other processors, such as the processor of Terada. The advantage of having conditional branches that branch on the status bits generated from prior instructions would have motivated one of ordinary skill in the art at the time of the invention to implement the test and branch instruction of Bladen into the processor of Terada. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to add the test and branch instruction to Terada for the benefits of branching dependent on different status bits generated from previous instructions.

Terada and Bladen failed to teach a control bit that specifies a first or second state.

However, it would have been obvious to one of ordinary skill in the art that having an instruction with two different modes of operation using a control bit is essentially the same as having two different instructions using two separate opcodes to control two different modes of operation. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two instructions and use a single control bit in the opcode to differentiate between the two modes of execution. In addition, according to "In re Larson" (144 USPQ 374 (CCPA 1965)), to make integral doesn't give patentability over prior art.).

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6. Claims 11-13, 16, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Terada et al. (U.S. 6,041,399), in view of Feierbach et al. (U.S. 6,088,786).

7. As per claim 11:

Terada disclosed a system, comprising:

A main processor unit (Terada: Figure 16 figure 20, column 10 lines 43-49); and

A co-processor coupled to said main processor unit (Terada: Figure 16 element 22, column 10 lines 43-49);

Wherein, during the register-based instruction mode, the coprocessor executes an instruction that includes an immediate value and a reference to a register accessible to said co-processor, performs a comparison using the immediate value and the register value, and executes or skips a subsequent instruction based on the comparison (Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(The compare greater than instruction in figure 4 compares a register value to an immediate value. The predicate result of this will cause the subtraction instruction to execute or execute and not save the results of the instruction to a register. Thus having the same functionality. Since the instruction deals with registers, the coprocessor executes the comparison instruction in a register-based mode.).

Terada fails to teach wherein said co-processor selectively operates in a stack-based instruction mode and a register-based instruction mode.

However, Feierbach disclosed wherein said co-processor selectively operates in a stack-based instruction mode and a register-based instruction mode (Feierbach:

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Figure 2 element 227, column 7 lines 27-37)(Figure 2 shows a processor that is able to selectively execute stack-based instructions and register-based instructions by using a predecoder, element 227, to determine where the current instruction is to go.).

The advantage of stack-based processors is that they are much more compact and efficient than their register-based counterparts. Having both a stack-based and register-based processor is advantageous when a processor also has to occasionally execute high-performance multimedia applications, which are better suited for register-based processors (Feierbach: Column 2 lines 44-67 continued to column 3 lines 1-45). One of ordinary skill in the art would have been motivated by the increased performance in certain applications for stack-based processors to add a stack-based processor to the processor of Terada. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement a stack-based processor alongside the register-based processor of Terada for the advantage of increased performance in certain applications.

8. As per claim 12:

Claim 12 essentially recites the same limitations of claim 2. Therefore, claim 12 is rejected for the same reasons as claim 2.

9. As per claim 13:

Claim 13 essentially recites the same limitations of claim 3. Therefore, claim 13 is rejected for the same reasons as claim 3.

10. As per claim 16:

Claim 16 essentially recites the same limitations of claim 6. Therefore, claim 16 is rejected for the same reasons as claim 6.

11. As per claim 18:

The system of claim 11 further comprising wireless communication circuitry and said system comprises a cell phone (Official notice is taken that the processing system could be part of a cellular telephone.).

12. Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Terada et al. (U.S. 6,041,399), in view of Blaner et al. (U.S. 5,659,722), further in view of Chen et al. (U.S. 5,504,903)

13. As per claim 10:

Terada and Bladen disclosed the method of claim 9.

Terada and Bladen failed to teach wherein skipping the subsequent instruction comprises replacing the subsequent instruction with a no operation instruction.

However, Chen disclosed wherein skipping the subsequent instruction comprises replacing the subsequent instruction with a no operation instruction (Chen: Column 7 lines 59-67 continued to column 8 lines 1-3).

Both the bit test and skip if set/clear instructions are essentially a predicated compare instruction, which will only execute the next instruction if a condition is met. If the condition is met, then the next instruction is not allowed to complete and is essentially the same as a nop instruction. Thus, it would have been obvious to one of ordinary skill in the art to use the process from Chen of substituting in a nop instruction instead of the

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instruction from Bladen or Terada that will simply not complete if the condition to not execute is met.

14. Claims 14-15 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Terada et al. (U.S. 6,041,399), in view of Blaner et al. (U.S. 5,659,722), further in view of Feierbach et al. (U.S. 6,088,786).

15. As per claim 14:

Claim 14 essentially recites the same limitations of claim 4. Therefore, claim 14 is rejected for the same reasons as claim 4.

16. As per claim 15:

Claim 15 essentially recites the same limitations of claim 5. Therefore, claim 15 is rejected for the same reasons as claim 5.

17. As per claim 17:

Claim 17 essentially recites the same limitations of claim 7. Therefore, claim 17 is rejected for the same reasons as claim 7.

New Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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19. Claims 1-3 and 6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Terada et al. (U.S. 6,041,399), in view of Ramasamy et al. (U.S. 6,931,632).

20. As per claim 1:

Terada disclosed a processor executing a plurality of instructions, comprising:

An arithmetic logic unit (Terada: Figure 1 elements 103-104 and 203-204, column 5 lines 35-51); and

A plurality of registers coupled to the ALU, each register programmable to store a register value (Terada: Figure 1 elements 102 and 202, column 5 lines 52-61);

Wherein said processor executes a routine having a test and skip instruction that includes an immediate value and a reference to a register, the test and skip instruction performs a comparison using the immediate value and the register value stored in the referenced register, and selectively skips a subsequent instruction that follows the test and skip instruction based on the comparison (Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(It's obvious to one of ordinary skill in the art that the instructions contained within figure 4 could occur within a routine. The compare greater than instruction in figure 4 compares a register value to an immediate value. The predicate result of this will cause the subtraction instruction to execute or execute and not save the results of the instruction to a register. Thus having the same functionality.).

Terada failed to teach wherein the subsequent instruction jumps to another routine.

However, Ramasamy disclosed wherein the subsequent instruction jumps to another routine (Ramasamy: Column 1 lines 38-45)(Ramasamy disclosed a predicated

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branch instruction that relies on a predicated value to determine if the branch instruction is taken or not. Since the branch is a call instruction, it jumps to another routine.).

The use of a predicated branch instruction has the same result of a conditional branch instruction, which both result in branching to the target address if a particular condition is met. Thus, it's obvious to one of ordinary skill in the art at the time of the invention that each of these methods could be used intertwined to achieve the same result.

21. As per claim 2:

Claim 2 essentially recites the same limitations of claim 1. Therefore, claim 1 is rejected for the same reasons as claim 2.

22. As per claim 3:

Terada and Ramasamy disclosed the processor of claim 2 wherein the processor skips the subsequent instruction if the immediate value does not match the register value and executes the subsequent if the immediate value does match the register value (Terada: Figure 11, column 5 lines 66-67 continued to column 6 lines 1-24 and column 7 lines 39-48)(Figure 11 shows a compare equal instruction that compares a immediate value to a register value. The following instruction in figure 11 is skipped if the results aren't equal and is executed if they are equal. Thus having the same functionality.)

23. As per claim 6:

Terada and Ramasamy disclosed the processor of claim 1 wherein the instruction includes at least one bit that specifies how the comparison is to be performed

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(Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(The opcode of the instruction specifies how the instruction will execute. Thus having the same functionality.).

24. Claims 4-5 and 7-8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Terada et al. (U.S. 6,041,399), in view of Ramasamy et al. (U.S. 6,931,632), further in view of Blaner et al. (U.S. 5,659,722).

25. As per claim 4:

Terada disclosed the processor of claim 1.

Terada failed to teach wherein the comparison is performed by masking the register value in the referenced register with the immediate value and examining one or more bits in the masked version of the referenced register.

However, Blaner disclosed wherein the comparison is performed by masking the register value in the referenced register with the immediate value and examining one or more bits in the masked version of the referenced register (Blaner: Figures 3 and 7, column 4 lines 53-67 continued to column 5 lines 1-42 and column 6 lines 26-39 and column 8 lines 4-31)(Blaner disclosed a branch instruction that tests the status registers with a immediate mask in the instruction. Figure 3 shows the instruction format, with element 508 being the masked immediate value. Figure 7 shows the process of executing this instruction. Element 330 is the status register that stores the current status bits that are checked by the branch instruction. Column 8 discusses the process

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of masking the immediate mask in the instruction with the status register values to determine test value. This test value is the basis of if the branch is taken or not.).

Processing elements produce condition signals during execution that indicate conditions relevant to the execution of an instruction. These signals can later be used by conditional branches to determine if certain conditions were met for a branch instruction (Bladen: Column 1 lines 20-29). This type of branch instruction that performs a mask of the status bits with an immediate value to determine if the branch is taken would also be useful in other processors, such as the processor of Terada. The advantage of having conditional branches that branch on the status bits generated from prior instructions would have motivated one of ordinary skill in the art at the time of the invention to implement the test and branch instruction of Bladen into the processor of Terada. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to add the test and branch instruction to Terada for the benefits of branching dependent on different status bits generated from previous instructions.

It would have been obvious to one of ordinary skill in the art that having an instruction with two different modes of operation using a control bit is essentially the same as having two different instructions using two separate opcodes to control two different modes of operation. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two instructions and use a single control bit in the opcode to differentiate between the two modes of execution. In addition, according to "In re Larson" (144 USPQ 374 (CCPA 1965)), to make integral doesn't give patentability over prior art.).

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26. As per claim 5:

Terada and Blaner disclosed the processor of claim 4 wherein the masking is performed by ANDing the immediate value with the register value (Blaner: Figure 7 elements 352, 362, 372, and 382, column 8 lines 4-31)(These elements are ANDing the value from the status register with the immediate value of the predicate from the branch instruction.).

27. As per claim 7:

Terada disclosed the processor of claim 6 wherein the at least one bit specifies whether the register reference is to a register from a first group of registers or to a register from a second group of registers (Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(The first group of registers is registers from the register file and the second group of registers is the status register. The compare instruction's opcode specifies that a comparison will be done by a normal register and not a status register. Thus having the same functionality.); and

if a register from the first group of registers is specified by said bit, the comparison is performed by comparing the immediate value to the register value (Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(The compare instruction in figure 4 is done by comparing the data stored in the register to the immediate value. Thus having the same functionality.); and

Terada failed to teach if a register from the second group of registers is specified by said bit, the comparison is performed by masking the register value with the

immediate value and examining one or more bits in the masked version of the referenced register.

However, Bladen disclosed if a register from the second group of registers is specified by said bit, the comparison is performed by masking the register value with the immediate value and examining one or more bits in the masked version of the referenced register (Bladen: Figures 3 and 7, column 4 lines 53-67 continued to column 5 lines 1-42 and column 6 lines 26-39 and column 8 lines 4-31)(The test and branch instruction's opcode states that the comparison is done between the status register and the immediate predicate value within the instruction, which is element 508 in figure 3. Figure 7 shows the process of executing this instruction. Element 330 is the status register that stores the current status bits that are checked by the branch instruction. Column 8 discusses the process of masking the immediate mask in the instruction with the status register values to determine test value. This test value is the basis of if the branch is taken or not.).

Processing elements produce condition signals during execution that indicate conditions relevant to the execution of an instruction. These signals can later be used by conditional branches to determine if certain conditions were met for a branch instruction (Bladen: Column 1 lines 20-29). This type of branch instruction that performs a mask of the status bits with an immediate value to determine if the branch is taken would also be useful in other processors, such as the processor of Terada. The advantage of having conditional branches that branch on the status bits generated from prior instructions would have motivated one of ordinary skill in the art at the time of the

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invention to implement the test and branch instruction of Bladen into the processor of Terada. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to add the test and branch instruction to Terada for the benefits of branching dependent on different status bits generated from previous instructions.

It would have been obvious to one of ordinary skill in the art that having an instruction with two different modes of operation using a control bit is essentially the same as having two different instructions using two separate opcodes to control two different modes of operation. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two instructions and use a single control bit in the opcode to differentiate between the two modes of execution. In addition, according to "In re Larson" (144 USPQ 374 (CCPA 1965)), to make integral doesn't give patentability over prior art.).

28. As per claim 8:

Terada disclosed the processor of claim 6 wherein if the register reference specified by said at least one bit is not the status register, the comparison is performed by comparing the immediate value to the register value in the referenced register (Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(The compare instruction in figure 4 is done by comparing the data stored in the specified register to the immediate value. The register is a normal register within the register file and is not the status register. Thus having the same functionality.)

Terada failed to teach wherein the registers include a status register, and, if the register reference specified by said at least one bit is the status register, the comparison

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is performed by masking the register value in the status register with the immediate value and examining one or more bits in the masked version of the status register.

However, Bladen disclosed wherein the registers include a status register (Bladen: Figure 5, column 7 lines 1-33)(The multiple predicate register stores predicate value for instructions that don't have an immediate predicate value and also stores status bits for each processing element. Thus having the same functionality.); and

If the register reference specified by said at least one bit is the status register, the comparison is performed by masking the register value in the status register with the immediate value and examining one or more bits in the masked version of the status register (Blader: Figures 3 and 7, column 4 lines 53-67 continued to column 5 lines 1-42 and column 6 lines 26-39 and column 8 lines 4-31)(The test and branch instruction's opcode states that the comparison is done between the status register and the immediate predicate value within the instruction, which is element 508 in figure 3.

Figure 7 shows the process of executing this instruction. Element 330 is the status register that stores the current status bits that are checked by the branch instruction.

Column 8 discusses the process of masking the immediate mask in the instruction with the status register values to determine test value. This test value is the basis of if the branch is taken or not.).

Processing elements produce condition signals during execution that indicate conditions relevant to the execution of an instruction. These signals can later be used by conditional branches to determine if certain conditions were met for a branch instruction (Bladen: Column 1 lines 20-29). This type of branch instruction that performs

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a mask of the status bits with an immediate value to determine if the branch is taken would also be useful in other processors, such as the processor of Terada. The advantage of having conditional branches that branch on the status bits generated from prior instructions would have motivated one of ordinary skill in the art at the time of the invention to implement the test and branch instruction of Bladen into the processor of Terada. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to add the test and branch instruction to Terada for the benefits of branching dependent on different status bits generated from previous instructions.

It would have been obvious to one of ordinary skill in the art that having an instruction with two different modes of operation using a control bit is essentially the same as having two different instructions using two separate opcodes to control two different modes of operation. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the two instructions and use a single control bit in the opcode to differentiate between the two modes of execution. In addition, according to "In re Larson" (144 USPQ 374 (CCPA 1965)), to make integral doesn't give patentability over prior art.).

29. Claims 19-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Terada et al. (U.S. 6,041,399), in view of Ramasamy et al. (U.S. 6,931,632), in view of Hammond et al. (U.S. 5,638,525).

30. As per claim 19:

Terada disclosed a programmable logic device comprising:

Control logic (Terada: Figures 1 and 5, columns 5-6); and

Means for decoding an instruction that includes an immediate value and a reference to a register for performing a comparison using the immediate value and a register value stored in the referenced register, and for causing the processor to execute or skip a subsequent instruction that follows the instruction based on the comparison (Terada: Figure 4, column 5 lines 66-67 continued to column 6 lines 1-24)(The compare greater than instruction in figure 4 compares a register value to an immediate value. The predicate result of this will cause the subtraction instruction to execute or execute and not save the results of the instruction to a register. Thus having the same functionality.);

Terada failed to teach means for selectively changing an operating mode of the programmable logic device; and wherein the subsequent instruction jumps to a routine associated with a particular operating mode.

However, Ramasamy disclosed wherein the subsequent instruction jumps to a routine (Ramasamy: Column 1 lines 38-45)(Ramasamy disclosed a predicated branch instruction that relies on a predicated value to determine if the branch instruction is taken or not. Since the branch is a call instruction, it jumps to another routine.).

The use of a predicated branch instruction has the same result of a conditional branch instruction, which both result in branching to the target address if a particular condition is met. Thus, it's obvious to one of ordinary skill in the art at the time of the invention that each of these methods could be used intertwined to achieve the same result.

Terada and Ramasamy failed to teach means for selectively changing an operating mode of the programmable logic device; and wherein the subsequent instruction jumps to a routine associated with a particular operating mode.

However, Hammond disclosed means for selectively changing an operating mode of the programmable logic device (Hammond: Figure 2 element 212, column 4 lines 61-67 continued to column 5 lines 1-19)(The switch instruction changes the processor from one operating mode to the other.); and

Wherein the subsequent instruction jumps to a routine associated with a particular operating mode (Hammond: Figure 2 element 212, column 4 lines 61-67 continued to column 5 lines 1-19)(Ramasamy: Column 1 lines 38-45)(The combination of Hammond and Ramasamy result in the jump switch instruction of Hammond being a predicated branch instruction.).

The advantage of using multiple instruction sets for a processor is that it allows for increased flexibility in what type of programs the processor can execute. One of ordinary skill in the art would have been motivated by this to implement a processor with multiple ISA's. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement a processor with multiple instruction set architectures for the advantage of increased flexibility in the type of programs that the processor is able to execute.

31. As per claim 20:

Terada disclosed the system of claim 19 including means for comparing the immediate value to the register value in the referenced register (Terada: Figure 4,

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column 5 lines 66-67 continued to column 6 lines 1-24)(The compare greater than instruction in figure 4 compares a register value to an immediate value. The predicate result of this will cause the subtraction instruction to execute or execute and not save the results of the instruction to a register. Thus having the same functionality.).

Response to Arguments

32. The arguments presented by Applicant in the response, received on 12/4/2006 are partially considered persuasive.

33. Applicant argues that "Terada failed to teach wherein the subsequent instruction jumps to another routine" for claims 1 and 19.

This argument is found to be persuasive for the following reason. The examiner agrees that Terada failed to teach this limitation. However, a new ground of rejection has been given to read upon the claimed limitation.

34. Applicant argues that "Terada failed to teach changing the operating mode of the device via the subsequent instruction" for claim 19.

This argument is found to be persuasive for the following reason. The examiner agrees that Terada failed to teach this limitation. However, a new ground of rejection has been given to read upon the claimed limitation.

35. Applicant argues that "A control bit that specifies a first or second state isn't obvious" in claim 9.

This argument is not found to be persuasive for the following reason. The control bit is equated to the part of the instruction opcode that dictates what operation the

instruction will perform. Terada and Bladen disclosed respectively a first and second instruction that performs two operations, which are dependent upon the opcode. Thus, if the opcode is the first value, the instruction of Terada will be performed, and if the opcode is the second value, the instruction of Bladen will be performed. It's obvious to one of ordinary skill in the art that these two instructions could only differ by a single bit within the opcode, which is the control bit.

36. Applicant argues that "Feierbach failed to teach wherein said co-processor selectively operates in a stack-based instruction mode and a register-based instruction mode" for claim 11.

This argument is not found to be persuasive for the following reason. Feierbach shows in figure 2 shows a processor that is able to selectively execute stack-based instructions and register-based instructions by using a predecoder, element 227, to determine where the current instruction is to go. Thus, on an instruction-by-instruction basis, the processor is selectively operating in a stack-based or register-based mode.

Conclusion

The following is text cited from 37 CFR 1.111(c): In amending in reply to a rejection of claims in an application or patent under reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. The applicant or patent owner must also show how the amendments avoid such references or objections.

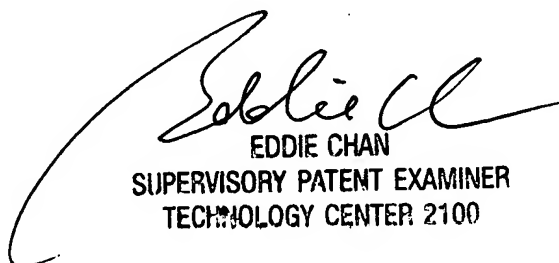
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Petranek whose telephone number is 571-272-5988. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jacob Petranek
Examiner, Art Unit 2183



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